

## REMARKS

Claims 35-42 have been amended. Claims 1-42 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### Section 103(a) Rejection:

The Examiner rejected claims 1-42 under 35 U.S.C. § 103(a) as being unpatentable over Bauer et al. (U.S. Patent 5,884,325) (hereinafter “Bauer”) in view of Hertzog et al. (U.S. Publication 2003/0069874) (hereinafter “Hertzog”). Applicants respectfully traverse the rejection for at least the reasons provided below.

**In regard to claim 1, Bauer in view of Hertzog does not teach or suggest a distributed store comprising a primary state of session data configured for access by a plurality of application servers.** The Examiner cites column 1, lines 66-67 and column 2, lines 9-17 and 63-64 of Bauer. The Examiner also cites items 10 and 20a – 23x of Bauer’s FIG. 1. However, Bauer fails to describe a distributed store comprising a *primary state of session data* configured for access *by a plurality of application servers*, as recited in claim 1. In contrast, Bauer includes only a single central server including a primary database (Bauer, column 2, lines 23-27). The central database in Bauer does not store a primary state of session data accessible by a plurality of application servers. Bauer teaches that each of the clients (which are not application servers) accesses its own client database, which may later be synchronized with the single central database by the database synchronizer. A database as described in Bauer refers to a collection of data that is manipulated by clients. More specifically, Bauer’s data is described as tabular data for, e.g., order information, delivery status, or field service information (1:4-14), manipulated by clients in a database. The order information, delivery status, or field service information stored in the database in Bauer is clearly not *session data*. The data stored in the database in Bauer is clearly not session data. Session data is a well-understood concept in the art of application servers, and the data stored in the databases

in Bauer is clearly not described as session data. Bauer does not pertain to the filed of session data as used by application servers.

Furthermore, Bauer specifically employs a single central server and a plurality of remote clients (Bauer, column 1, line 67 – column 2, line 1; column 6, lines 4-13). As shown in Fig. 1 of Bauer, a single server node 10 provides a central database 12 which may be synchronized for a plurality of client nodes 20<sub>a-z</sub>. It would completely change the intended principle of operation for Bauer's system to deviate from the single server model.

The Examiner admits that Bauer does not explicitly teach of a **plurality of application servers**. The Examiner relies upon Hertzog to teach a plurality of application servers, citing item 16 of Figure 1. Hertzog describes a system where "personal contact information" ("PIM" data) can be synchronized across multiple clients from a localized server, much like Bauer. In Figure 1, Hertzog labels several server side services as a "server farm", and, within the "server farm" Hertzog describes a single application server and a single web server. In Hertzog's system, the application server is "responsible for sending personal information updates to the client services module 26 so as to synchronize the local database 30 with a specific subset of information maintained within the server database 34" (paragraph [0048]). Thus, just like Bauer, Hertzog teaches a system with a single server for maintaining primary data for multiple clients. Hertzog does not teach or suggest primary data configured for access by a plurality of application servers. Hertzog describes only a single application server 40 for managing the personal information updates (Hertzog -- Fig. 1, para. [0048]). The Examiner also refers to web server 42 in Hertzog. However, web server 42 does not access the primary data in database 34. As seen in Fig. 1 of Hertzog, web server 42 is not even connected to the database.

Moreover, Hertzog's system pertains to managing personal contact information, such as addresses and telephone numbers, not session data. **Neither Bauer nor Hertzog has anything to do with providing access to session data for a plurality of**

**application servers.** Bauer is focuses on databases that store tabular data pertaining to “taking orders, doing field service, or delivering packages”, and Hertzog pertains to managing personal contact information. Neither reference has anything to do with session data, let alone providing access to session data for a plurality of application servers.

**Additionally, Bauer in view of Hertzog fails to teach or suggest an application server comprising a client state of the session data and that is configured to provide access to the client state of the session data to processes executing within the application server.** The Examiner cites Bauer, column 1, lines 60-62. However, the cited portion of Bauer describes a database synchronizer that “facilitates computing systems which have client-side and server-side applications that share data in similar organizational structures.” Firstly, the cited passage makes no mention of an application server comprising a client state of the session data. Secondly, Bauer fails to describe an application server providing access to a client state of session data to processes executing within the application server. Instead, at the Examiner’s cited reference, Bauer only describes a database synchronizer configured to synchronize data from individual client machines with a central database.

Hertzog is not relied upon by the Examiner to teach an application server comprising a client state of session data and configured to provide access to the client state of the session data to processes executing within the application server. Furthermore, Hertzog specifically teaches that his clients maintain local copies of personal data, not session data, and that client services module on his clients, including a synchronization engine, is responsible for synchronizing information maintained in a local (client) database with information maintained on a remote database (paragraphs [0045 - 0047]). Thus, Hertzog fails to overcome any of the above noted deficiencies of Bauer regarding an application server comprising a client state of session data and configured to provide access to the client state of the session data to processes executing within the application server. **In both Bauer and Hertzog, the client state of the data is maintained by the clients, which by definition are not application servers.** Neither

reference teaches an application server comprising a client state of the session data, wherein the application server is configured to provide access to the client state of the session data to processes executing within the application server.

Furthermore, the Examiner has failed to provide a proper motivation for modifying the system of Bauer in view of Hertzog. The Examiner states that it would have been obvious to combine the teachings of Hertzog and Bauer “because the invention are analogous art.” However, it is well established that just because two references can be combined does not render the resultant combination obvious (M.P.E.P. § 2143.01 para. 9). Just being analogous art does not provided a motivation to combine. The Examiner also states that one would be motivated to combine the teachings of Bauer and Hertzog “for the reasons discussed by Hertzog” at paragraph [0004]. However, paragraph [0004] of Hertzog discusses how it is desirable that when a user has multiple devices each storing a local copy of personal information, it is desirable that all copies of the personal information be synchronized in an easy and convenient manner. Hertzog also described in paragraph [0004] several prior art software solutions allowing synchronization of personal information. Thus, paragraph [0004] cited from the background section of Hertzog only described synchronization of personal information and several prior art solutions to synchronizing personal information. Synchronization of local copies of personal information stored on multiple user client devices does not provide any motivation to modify the system of Bauer. In fact, one concerned with the synchronization of personal information, as described in paragraph [0004] of Hertzog would only be motivation to use the system of Hertzog, as Hertzog’s system is specifically directed to solving the synchronization issued outlined in the Background section of Hertzog. As Hertzog’s system fully addresses the problem of synchronization of personal information, no one would be motivated to modify Bauer’s system. Moreover, as shown above, even if the teachings of the references were combined, such a combination would not result in applications claimed invention since neither reference, alone or combined, has anything at all to do with providing access to session data for a plurality of application servers. Nor does either reference, alone or combined, have anything to do with one of the plurality of application servers comprising a client state of

the session data, wherein the application server is configured to provide access to the client state of the session data to processes executing within the application server.

For at least the reasons presented above, the rejection of claim 1 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above also apply to claims 10 and 19.

Regarding claim 27, Bauer in view of Hertzog does not disclose determining a subset of attributes in a client state of session data on a first application server that have been modified, wherein the session data is accessible to one or more processes executing within the application server. The Examiner cites column 2, lines 13-15 and column 1, lines 60-62. However, as noted above regarding claim 1, Bauer does not teach a client state of session data on an application server. Nor does Bauer teach that session data is accessible to processes executing with an application server. As described above, Bauer teaches a system including a single central server including a primary database and individual client database on client machines. A database synchronizer periodically synchronizes the client data with the central database. Hertzog teaches only a central database where a synchronization engine on client devices synchronizes a local copy of personal information with the central database. Neither Bauer's single central database nor Hertzog's central database, even if periodically synchronized with client data, can be considered a client state of session data on an application server. For a more detailed discussion regarding Bauer in view of Hertzog's failure to teach a client state of session data on a first application server, where the session data is accessible to processes executing within the application server, please refer to the discussion of claim 1 above.

Further in regard to claim 27, the cited art does not teach or suggest a primary state of the session data that is accessible by a plurality of application servers including the first application server. Please refer to the arguments above in regard to claim 1.

Thus, for at least the reasons presented above, the rejection of claim 27 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks as those above also apply to claim 35.

**In regard to claim 4, Bauer in view of Hertzog fails to disclose a system configured to perform object graph differencing of an object graph representation of the client state and an object graph representation of the benchmark of the client state.** The Examiner cites column 2, lines 51-57 of Bauer. This passage of Bauer describes comparing the tables of a database to determine those rows and columns that have differences between two versions of the database. The cited passage does not mention anything regarding performing an object graph differencing. Nor does the cited passage mention object graph representations of the client state or of the benchmark of the client state. The rows and columns of a database cannot be considered object graph representations, as object graph representations are understood in the art. Nowhere does Bauer describe the rows and columns of his database as being object graph representations. The Examiner does provide any argument or explanation regarding those portions of Bauer system the Examiner considers be object graph representations. Thus, the rejection of claim 4 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks apply to claims 13, 21, 29, and 37.

**In regard to claim 9, Bauer in view of Hertzog fails to disclose a system configured to perform object graph differencing of an object graph representation of the tracked accessed attributes and an object graph representation of the benchmark of the attributes of the client state.** The Examiner cites column 2, lines 51-57. However, as noted above regarding claim 4, the cited passage of Bauer does not describe performing *object graph differencing* and further fails to mention anything regarding *object graph representations*. In fact, nowhere does Bauer mention an object graph representation of tracked accessed attributes or of a benchmark of the attributes of the client state. Instead, Bauer teaches that individual row and columns of a traditional tabular database are compared with an earlier version of the database to determine what modifications to occurred at a client (column 2, lines 47-50). Without some clear

teaching or discussion by Bauer regarding performing object graph differencing of object graph representations of tracked access attributes, Bauer cannot be said to anticipate claim 9. Thus, for at least the reasons above, the rejection of claim 9 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks also apply to claims 18, 26, 34 and 42.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

## CONCLUSION

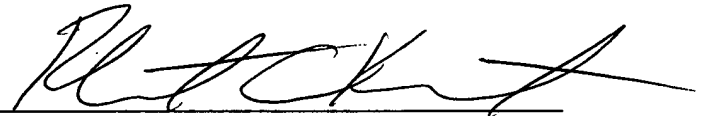
Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-12000/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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